

REMARKS

Claims 1-15, 19-36, and 38-67 are pending. Claims 1, 6-9, 14, 21-25, 32, 34, 44, and 45 have been amended to even further clarify the claimed subject matter, and Claim 49 has been amended to depend from Claim 48. Those changes have not been made for purposes relating to patentability. Claims 66 and 67 have been added.

The Office Action required an election of one of the following allegedly patentably distinct species:

- I. Claims 1-13, directed to an electron-emitting apparatus with particular electric field;
- II. Claims 14, 15, 19, 20, 44, 45, 60, 62, 63 and 65, directed to an electron-emitting apparatus having graphenes stacked non-parallel to a carbon fiber axis;
- III. Claims 50-58, directed to an electron-emitting apparatus having electrodes not insulated with an insulating layer;
- IV. Claims 46-48, directed to an electron-emitting apparatus having electrodes insulated with an insulating layer; and
- V. Claims 61 and 64, directed to an electron-emitting apparatus having graphenes not perpendicular to a carbon fiber axis.

According to the Office Action, Claims 21 and 34 are generic. The Office Action did not address Claims 22-33, 35-43, 49 and 59. The Examiner is respectfully requested to indicate which species he believes those claims belong to.

In response to the election requirement, Applicant elects provisionally Species II, upon which at least Claims 14, 15, 19, 20, 44, 45, 60, 62, 63 and 65 read.

Applicant also requests, however, that Claims 61 and 64 also be examined together with the foregoing claims. In particular, each embodiment recited in Claims 61 and 64 includes a structure in which a plurality of graphenes are stacked in a direction not

perpendicular to an axis direction of the carbon fiber. The embodiment of Claim 63, which reads on the elected Species II, also includes such features. Accordingly, it would not be unduly burdensome to examine all of those embodiments at one time.¹

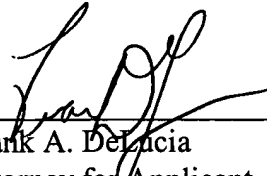
Also, Claims 40 and 42 depend on Claims 19 and 20, respectively, that read on the elected Species II. Added Claims 66 and 67 each depend on any one of Claims 44, 63, 64, and 65, wherein Claims 44, 63, and 65 read on elected Species II and, as pointed out above, Claim 64 recites, in part, a structure like that in Claim 63. Accordingly, it is believed that Claims 40, 42, 66, and 67 also should be examined together with the claims reading on Species II, because it is believed that such an examination would not be unduly burdensome to the Examiner. Their examination is respectfully requested.

Favorable reconsideration and early passage to issue of the present application are requested.

^{1/} Because Claims 21 and 34 were indicated as being generic in the Office Action, it is understood that those claims will be further examined as well in the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank A. DeLucia', is written over a horizontal line.

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